

Remarks

Claims 73-75 and 77-94 are pending in the present application. In the Office Action dated July 30, 2003, the Examiner rejected claims 81-94 under 35 U.S.C. § 112, first paragraph, as directed to subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains to make and/or use the invention. Specifically, the Examiner cites the use of "passivated conductive layer" in claims 81 and 88 as lacking sufficient detail in the specification. The Examiner has further rejected claims 81-94 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. Again, the Examiner asserts that the term "passivated conductive layer" in claims 81 and 88 is vague and indefinite.

The Examiner further rejected claims 73-75, 77, 78, 80-85 and 87 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 5,956,894 to Yang, *et al.* ("Yang"). Claims 88, 92 and 94 are rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,383,951 B1 to Li ("Li"). Claims 89-91 are rejected under 35 U.S.C. § 103(a) as unpatentable over the Li reference, in view of U.S. Published Application No. 2002/0187633 A1 to Akram ("Akram"). Claim 79 is objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants disagree with these grounds of rejection and request reconsideration of the present application in light of the present amendment and following remarks.

As a preliminary matter, applicant notes that as of the present date, form PTO 1449 stemming from Information Disclosure Statements filed November 10, 2000, February 6, 2003, April 18, 2003, May 28, 2003 and June 23, 2003 have not been returned to the applicant. The Examiner is kindly requested to review the disclosed references and return the forms to the undersigned attorney.

The Examiner is thanked for his careful review of the present application and for his indication of allowable subject matter. Applicant is therefore amending claims in the present application in order to expedite the issuance of the allowable subject matter. It is understood, however, that applicant is amending claims solely to expedite issuance of the indicated allowable

subject matter, and does not agree with the Examiner's rejections under 35 U.S.C. § 112, or the rejections based on the cited prior art. Accordingly, applicant reserves the right to present any of the present claims in any continuation, divisional or continuation-in-part application.

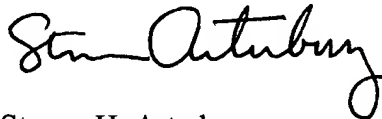
Claim 73 is amended to recite the limitations of dependent claims 78 and 79. Claims 78 and 79 are cancelled. Claim 73 is now therefore in allowable form. Claims depending from amended claim 73 are also allowable based upon the allowability of the base claim and further in view of the additional limitations recited in the dependent claims.

Claims 81-94 are cancelled.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

DORSEY & WHITNEY LLP



Steven H. Arterberry
Registration No. 46,314
Telephone No. (206) 903-8787

SHA:tlm

Enclosures:

Postcard

Fee Transmittal Sheet (+ copy)

DORSEY & WHITNEY LLP
1420 Fifth Avenue, Suite 3400
Seattle, Washington 98101-4010
(206) 903-8800 (telephone)
(206) 903-8820 (fax)

h:\ip\forms\patent\amend after final reject 1.116.doc
4813-6527-3344\1 8/13/2003